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Washington, D.C. 20231

FEBRUARY 18, 1999

PTAS

BEYER & WEAVER, LLP  
ELISE R. HEILBRUNN  
P.O. BOX 61059  
PALO ALTO, CA 94306



\*100866795A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

01/02/01  
09/753641  
U.S. PTO  
JC961

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/20/1998

REEL/FRAME: 9539/0978

NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

JOHNSON, RICHARD A.

DOC DATE: 10/12/1998

ASSIGNEE:

SHAH, DHAVAL N.

DOC DATE: 10/12/1998

ASSIGNEE:

BOSTEDER, DALEN D.

DOC DATE: 10/15/1998

ASSIGNEE:

CISCO TECHNOLOGY, INC.  
170 WEST TASMAN DRIVE  
SAN JOSE, CALIFORNIA 95134-1706

SERIAL NUMBER: 09175195  
PATENT NUMBER:

FILING DATE: 10/20/1998  
ISSUE DATE:

BEYER & WEAVER, LLP

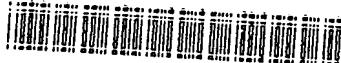
U.S.: ✓ FOREIGN: \_\_\_\_\_  
DOCKETED: 3-2-99 BY: oate  
ACTION: \_\_\_\_\_  
DUE DATES: \_\_\_\_\_

ATTY: E.R.H. DOCKET# C15C P048  
E.R.H.

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

10-30-1998

ASSIGN



CR SHEET

100866795

To: Honorable Commissioner of Patents and Trademarks

Please record the attached original document(s) or copy thereof.

1. Name of conveying party(ies)

- a) Richard A. Johnson
- b) Dhaval N. Shah
- c) Dalen D. Bosteder

09/175195

2. Name and address of receiving party(ies):

- a) Name: Cisco Technology, Inc.
- Address: 170 West Tasman Drive
- San Jose, CA 95134-1706

3. Nature of conveyance

- Assignment
- Security Agreement
- Other \_\_\_\_\_

- Merger
- Change of Name
- License Agreement

Execution Date: October 12, 1998 and October 15, 1998

4. Application Number(s) or Patent Number(s): Filed herewith

The title of the (new) application is:

APPARATUS AND METHOD FOR PERFORMING TRAFFIC  
REDIRECTION IN A DISTRIBUTED SYSTEM USING A PORTION METRIC

5. Please send all correspondence concerning this (these) documents to:

Elise R. Heilbrunn  
BEYER & WEAVER, LLP  
P.O. Box 61059  
Palo Alto, CA 94306  
Tel. No.: (650) 493-2100  
Fax No.: (650) 493-2102

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$40.00

10/26/1998 DBUTLER 09/175195  Enclosed  
Any deficiencies are authorized to be charged to Deposit Account No. 50-0388  
04 FC:581 (Order No. CISCP048).

8. To the best of my knowledge and belief, the foregoing information is true and correct  
and any attached copy is a true copy of the original document.

Date: October 20, 1998

  
Elise R. Heilbrunn  
Registration No. 42,649

jc961 u.s. pro  
09/175195

jc961 u.s. PTO  
09/1753641  
01/02/01

**ASSIGNMENT OF PATENT APPLICATION**  
(Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set forth in the patent application entitled:

# APPARATUS AND METHOD FOR PERFORMING TRAFFIC REDIRECTION IN A DISTRIBUTED SYSTEM USING A PORTION METRIC

(Atty. Docket No. CISCP048 ) for which I (we) have executed an application for a United States Letters Patent.

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged,  
I/We the undersigned inventor(s) hereby:

- 1) Sell(s), assign(s) and transfer(s) to Cisco Technology, Inc., a California corporation having a place of business at 170 West Tasman Drive, San Jose, CA 95134-1706, (hereinafter referred to as ("ASSIGNEE"), the entire right title and interest in any and all improvements and inventions disclosed in, application(s) based upon, and Patent(s) (including foreign patents) granted upon the information which is disclosed in the above referenced application.
- 2) Authorize and request the Commissioner of Patents to issue any and all Letters Patents resulting from said application or any division(s), continuation(s), substitutes(s) or reissue(s) thereof to the ASSIGNEE.
- 3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.
- 4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor(s), as well as the inventor's heirs, legal representatives and assigns.
- 5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside my (our) signature(s).

1) Signature:  Date: 10/12/1998  
Typed Name: Richard A. Johnson

County of \_\_\_\_\_, )  
State of \_\_\_\_\_, ) ss.  
.)

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

2) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typed Name: Dhaval N. Shah

County of \_\_\_\_\_,)  
State of \_\_\_\_\_.) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (SEAL)

3) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typed Name: Dalen D. Bosteder

County of \_\_\_\_\_,)  
State of \_\_\_\_\_.) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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Signature \_\_\_\_\_ (SEAL)

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(Accompanying Application)

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Signed on the date(s) indicated beside my (our) signature(s).

1) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typed Name: Richard A. Johnson

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WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

2) Signature: Dhaval  
Typed Name: Dhaval N. Shah

Date: 10/12/98

County of \_\_\_\_\_, )  
State of \_\_\_\_\_, ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

3) Signature: \_\_\_\_\_  
Typed Name: Dalen D. Bosteder

Date: \_\_\_\_\_

County of \_\_\_\_\_, )  
State of \_\_\_\_\_, ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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Signature \_\_\_\_\_

(SEAL)

ASSIGNMENT OF PATENT APPLICATION  
(Accompanying Application)

Whereas I/we the undersigned inventor(s) have invented certain new and useful improvements as set forth in the patent application entitled:

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3) Agree to execute all papers and documents and, entirely at the ASSIGNEE's expense, perform any acts which are reasonably necessary in connection with the prosecution of said application, as well as any derivative applications thereof, foreign applications based thereon, and/or the enforcement of patents resulting from such applications.

4) Agree that the terms, covenants and conditions of this assignment shall inure to the benefit of the Assignee, its successors, assigns and other legal representative, and shall be binding upon the inventor(s), as well as the inventor's heirs, legal representatives and assigns.

5) Warrant and represent that I/we have not entered, and will not enter into any assignment, contract, or understanding that conflicts with this assignment.

Signed on the date(s) indicated beside my (our) signature(s).

1) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typed Name: Richard A. Johnson

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

**Signature** \_\_\_\_\_

(SEAL)

2) Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Typed Name: Dhaval N. Shah

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(SEAL)

3) Signature: Dalen D. Bosteder Date: 10/15/98  
Typed Name: Dalen D. Bosteder

County of \_\_\_\_\_, )  
State of \_\_\_\_\_, ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity(ies), and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

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Signature \_\_\_\_\_

(SEAL)

DECLARATION AND POWER OF ATTORNEY  
FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. CISCP048

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR PERFORMING TRAFFIC REDIRECTION IN A DISTRIBUTED SYSTEM USING A PORTION METRIC, the specification of which,

(check one)

1.  is attached hereto.
2.  was filed on \_\_\_\_\_ as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3.  was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Benefits Claimed?

_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Appl. No.)	(Country)	(Filing Date)	
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Appl. No.)	(Country)	(Filing Date)	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Prior Provisional Application(s)

_____	_____
(Application No.)	(Filing Date)
_____	_____
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s)**

(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

And I hereby appoint the law firm of Beyer & Weaver, LLP, including Steve D Beyer (Reg. No. 31,234); Jeffrey K. Weaver (Reg. No. 31,314); Joseph A. Nguyen (Reg. No. 37,899); C. Douglass Thomas (Reg. No. 32,947); Jonathan O. Scott (Reg. No. 39,364); James E. Austin (Reg. No. 39,489); Rupak Nag (Reg. No. 37,493); Joseph M. Villeneuve (Reg. No. 37,460); Michael L. Louie (Reg. No. 36,988); Peggy A. Su (Reg. No. 41,336); Mary R. Olynick (Reg. No. P42,963); Dean E. Wolf (Reg. No. 37,260); Elise R. Heilbrunn (Reg. No. 42,649), and Grace C. Chang (Reg. No. 41,396) as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**Send Correspondence To:**

Elise R. Heilbrunn  
BEYER & WEAVER, LLP  
P.O. BOX 61059  
Palo Alto, California 94306

**Direct Telephone Calls To:**

Elise R. Heilbrunn at telephone number (650) 493-2100

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Typewritten Full Name of**

**Sole or First Inventor:** Richard A. Johnson

**Citizenship:** US

**Inventor's signature:** \_\_\_\_\_

**Date of Signature:** \_\_\_\_\_

**Residence:** (City) Santa Barbara

**(State/Country)** California, USA

**Post Office Address:** 3210 Braemar Drive, Santa Barbara, CA 93109

Full Name of Second Joint  
Inventor (if any): Dhaval N. Shan

Citizenship: India

Inventor's signature: 

Date of Signature: \_\_\_\_\_

Residence: (City) Santa Clara

(State/Country) California, USA

Post Office Address: 3480 Granada Avenue, Apt. 193, Santa Clara, CA 95051

Full Name of Third Joint  
Inventor (if any): Dalen D. Bosteder

Citizenship: US

Inventor's signature: 

Date of Signature: 10/15/98

Residence: (City) San Jose

(State/Country) California, USA

Post Office Address: 1660 Via Campagna, San Jose, CA 95120

DECLARATION AND POWER OF ATTORNEY  
FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. CISCP048

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR PERFORMING TRAFFIC REDIRECTION IN A DISTRIBUTED SYSTEM USING A PORTION METRIC, the specification of which,

(check one)

1.  is attached hereto.
2.  was filed on \_\_\_\_\_ as  
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**Prior Foreign Application(s)**

Priority Benefits Claimed?

_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
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_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Appl. No.)	(Country)	(Filing Date)	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

**Prior Provisional Application(s)**

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Typewritten Full Name of

Sole or First Inventor: Richard A. Johnson

Citizenship: US

Inventor's signature: Richard A. Johnson

Date of Signature: 10/12/1995

Residence: (City) Santa Barbara

(State/Country) California, USA

Post Office Address: 3210 Braemar Drive, Santa Barbara, CA 93109

Full Name of Second Joint  
Inventor (if any): Dhaval N. Shah

Citizenship: India

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence: (City) Santa Clara

(State/Country) California, USA

Post Office Address: 3480 Granada Avenue, Apt. 193, Santa Clara, CA 95051

Full Name of Third Joint  
Inventor (if any): Dalen D. Bosteder

Citizenship: US

Inventor's signature: \_\_\_\_\_

Date of Signature: \_\_\_\_\_

Residence: (City) San Jose

(State/Country) California, USA

Post Office Address: 1660 Via Campagna, San Jose, CA 95120

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Priority Benefits Claimed?

_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Appl. No.)	(Country)	(Filing Date)	
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Appl. No.)	(Country)	(Filing Date)	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

Prior Provisional Application(s)

_____	_____
(Application No.)	(Filing Date)
_____	_____
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Prior U.S. Application(s)**

(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

And I hereby appoint the law firm of Beyer & Weaver, LLP, including Steve D Beyer (Reg. No. 31,234); Jeffrey K. Weaver (Reg. No. 31,314); Joseph A. Nguyen (Reg. No. 37,899); C. Douglass Thomas (Reg. No. 32,947); Jonathan O. Scott (Reg. No. 39,364); James E. Austin (Reg. No. 39,489); Rupak Nag (Reg. No. 37,493); Joseph M. Villeneuve (Reg. No. 37,460); Michael L. Louie (Reg. No. 36,988); Peggy A. Su (Reg. No. 41,336); Mary R. Olynick (Reg. No. P42,963); Dean E. Wolf (Reg. No. 37,260); Elise R. Heilbrunn (Reg. No. 42,649), and Grace C. Chang (Reg. No. 41,396) as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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